

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

LIBORIO VALDEZ,

Plaintiff,

v.

UNKNOWN BRAY and  
RICHARD DESROCHERS,

Defendants.

Case No. 2:21-cv-58

HON. JANE M. BECKERING

**ORDER**

This is a prisoner civil rights action brought under 42 U.S.C. § 1983. Defendants filed a Motion to dismiss (ECF No. 28). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (ECF No. 32) on January 30, 2023, recommending that this Court grant the motion and dismiss the case with prejudice. The Report and Recommendation was duly served on the parties.<sup>1</sup> No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 32) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants' Motion to dismiss (ECF No. 28) is GRANTED for the reasons stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith because Plaintiff failed to file any

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<sup>1</sup> Service of the Report and Recommendation on Plaintiff was returned, marked "Paroled Discharged" (ECF No. 34). Plaintiff has failed to keep the Court apprised of his current address.

objections to the Report and Recommendation. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: February 28, 2023

/s/ Jane M. Beckering  
JANE M. BECKERING  
United States District Judge